

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-1 DONALD KISTER,

Defendant.

Case:2:10-cr-20569
Judge: Cook, Julian Abele
MJ: Komives, Paul J
Filed: 09-23-2010 At 04:00 PM
INDI USA V. KISTER (DA)

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(29 U.S.C. § 501(c) - *EMBEZZLEMENT AND THEFT OF LABOR UNION ASSETS*)

D-1 DONALD KISTER

From August 2006 through October 2007 in the Eastern District of Michigan, Southern Division, the Defendant, **DONALD KISTER**, while an officer, that is, President, of the National Postal Mail Handlers Union Local 307, a labor organization engaged in an

industry affecting interstate commerce, did embezzle, steal and unlawfully and willfully abstract and convert to his own use the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$ 4,137.35, in violation of Title 29, United States Code, Section 501(c).

COUNT TWO

That on or about the 28th of April 2009, **DONALD KISTER**, did willfully and knowingly make and cause to be made a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of a department or agency of the United States by stating to Investigator Grant Thomas, of the Office of Labor-Management Standards, while said agent was conducting an official investigation, that he, **DONALD KISTER**, between July 19 and July 23, 2007, traveled to Washington, D.C., incurring gas, meals, and hotel expenses, all while on official Union business. The

statements and representations were false because, as **DONALD KISTER** then and there knew, that the expenses charged to the Union were personal and unrelated to official Union business.

THIS IS A TRUE BILL

s/Grand Jury Foreperson
Grand Jury Foreperson

BARBARA L. MCQUADE
United States Attorney

s/Kevin M. Mulcahy
KEVIN M. MULCAHY
Assistant United States Attorney
Chief, General Crimes Unit

s/C. Barrington Wilkins
C. BARRINGTON WILKINS
Assistant United States Attorney
211 W. Fort Street, Suite #2001
Detroit, MI 48226
barrington.wilkins@usdoj.gov

Dated: 23 September 2010

Companion Case information MUST be completed by AUSA

United States District Court
Eastern District of Michigan

Criminal Case Cov

Case:2:10-cr-20569
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to comp

Reassignment/Recusal Information

This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information

Companion Case Number:

This may be a companion case based upon LCrR 57.10 (b)(4)¹:

Judge Assigned:

☐ Yesxx ☒ No

AUSA's Initials: CBW

Case Title: USA v. D-1 DONALD KISTERCounty where offense occurred : WAYNE

Check One:

XX ☐ Felony☐ Misdemeanor☐ Petty☒ Indictment/ ☐ Information --- no prior complaint.☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: _____]☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____

Judge: _____

- ☐ Original case was terminated; no additional charges or defendants.
☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

September 23, 2010
Date

C. Barrington Wilkins

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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.